

FILED

LCW

MAY 24 2017

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

THOMAS G. BRUTON  
CLERK, U.S. DISTRICT COURT

UNITED STATES OF AMERICA

vs.

DAVID LIEW

UNDER SEAL

No. 17 CR 001 JUDGE AMY ST. EV

Title 18, United States Code,  
Section 371

MAGISTRATE JUDGE FINNEGAN

The UNITED STATES charges that:

1. Between in or around December 2009 and in or around February 2012 (the "Relevant Period"), in the Northern District of Illinois, Eastern Division, and elsewhere,

DAVID LIEW,

the defendant herein, did knowingly and intentionally conspire and agree with others to:

(a) knowingly execute, and attempt to execute, a scheme and artifice to defraud, and for obtaining money and property by means of materially false and fraudulent pretenses, representations, and promises, and in furtherance of the scheme and artifice to defraud, knowingly transmit, and cause to be transmitted, in interstate and foreign commerce, by means of wire communications, certain signs, signals and sounds, in violation of Title 18, United States Code, Section 1343, which scheme affected a financial institution; and (b) knowingly engage in trading, practice, and conduct, on and subject to the rules of the Chicago Mercantile Exchange ("CME"), that was, was of the character of, and was commonly known to the trade as, spoofing, that is, bidding or offering with the intent to

cancel the bid or offer before execution, by causing to be transmitted to the CME precious metals futures contract orders that LIEW and his co-conspirators intended to cancel before execution and not as part of any legitimate, good-faith attempt to execute any part of the orders, in violation of Title 7, United States Code, Sections 6c(a)(5)(C) and 13(a)(2).

2. During and in furtherance of this conspiracy, and in order to make money, defendant LIEW, from locations outside the United States, including Bank A's offices in the Asia-Pacific region, placed electronic trading orders with the CME, through Globex, which was located in the Northern District of Illinois. Such wire communications travelled in foreign and interstate commerce because LIEW executed such wires from locations outside the United States, including the Asia-Pacific region, and such wires traveled into the United States, specifically into the Northern District of Illinois.

3. LIEW placed, and conspired to place, hundreds of orders to buy or to sell precious metals futures contracts that he intended to cancel and not to execute at the time he placed the orders.

4. In furtherance of the conspiracy and to effect its unlawful objects, the following overt act, among others, was committed in the Northern District of Illinois and elsewhere: on or about January 10, 2012, defendant LIEW engaged in spoofing activity on the CME.

All in violation of Title 18, United States Code, Section 371.

ANDREW WEISSMANN  
Chief  
Fraud Section, Criminal Division  
U.S. Department of Justice

By: Michael T. O'Neill  
CAROL SIPPERLY  
Assistant Chief

MICHAEL T. O'NEILL  
Trial Attorney